



**US Army Corps
of Engineers®**
Nashville District

Public Notice

Public Notice No. 04-05

Date: January 30, 2004

Application No. 200301928

Please address all comments to:
Regulatory Branch, 3701 Bell Road, Nashville, TN 37214-2660

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Office Barge at Mile 465.6, Left Bank, Tennessee River, in Chattanooga, Hamilton County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)**.

APPLICANT: Friends of the Festival
1001 Market Street
Chattanooga, Tennessee 37402

LOCATION: Mile 465.6, left bank, Tennessee River (Nickajack Lake), in Chattanooga, Hamilton County, Tennessee, Chattanooga-TN, USGS 7.5 Minute Series Quad Map, Lat 35° 03' 21", Long 85° 17' 00".

DESCRIPTION: Friends of the Festival (FOF) proposes to permanently moor a 30'x120' office barge (no living quarters) fronting land owned by VFW Post 4848 under lease agreement. The barge would support a two-story office building containing approximately 3,400 square feet of space. The barge would be tied to shore by means of steel cables, metal spars, and an 8' wide hinged steel access ramp. The barge would have appropriate connections to city water, sewer, and electrical systems in compliance with applicable building codes. The offices would be staffed by eight full time FOF employees.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office before a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

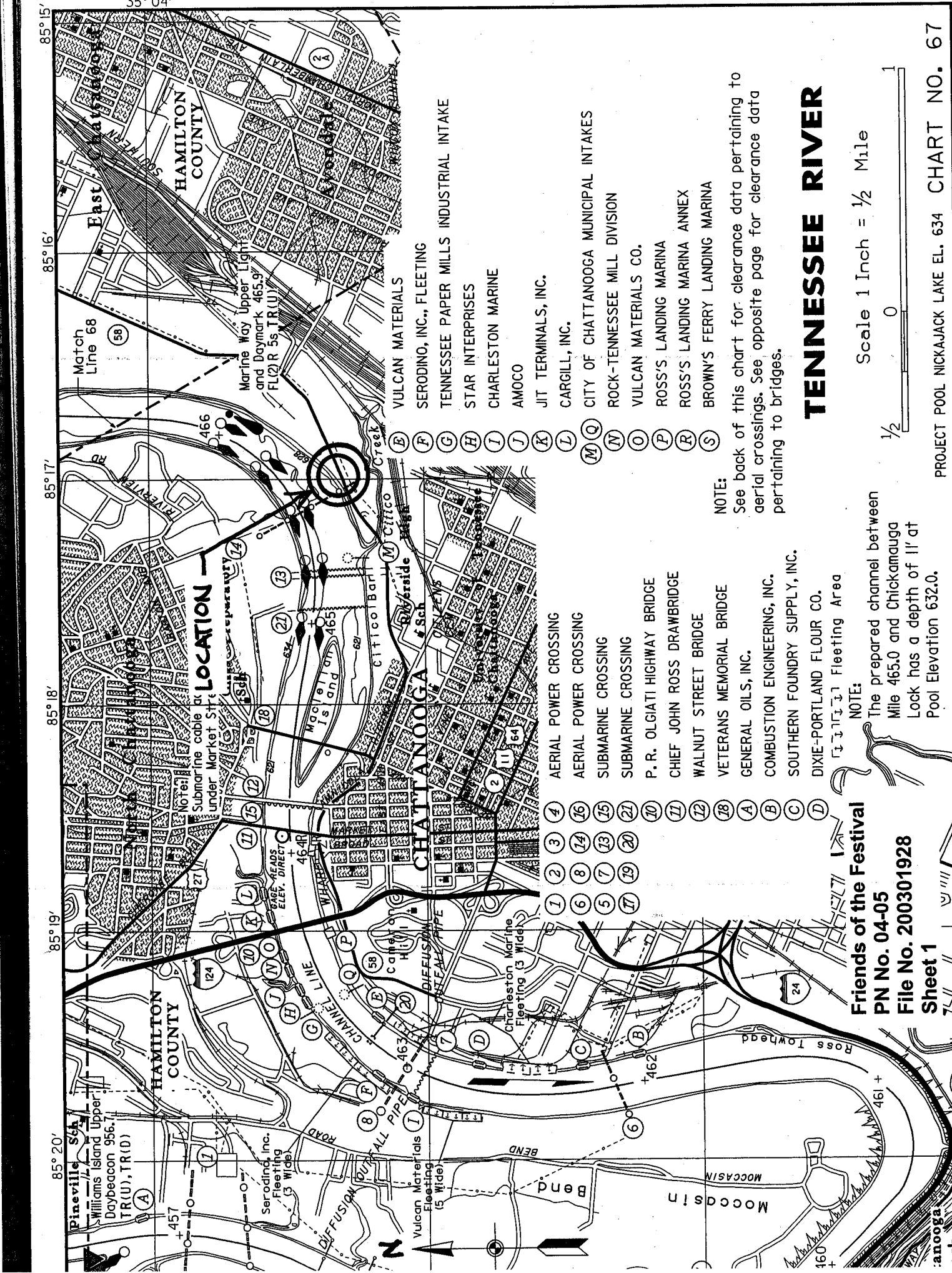
Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination, and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require FOF to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.
- b. The U.S. Coast Guard (USCG) would conduct an initial risk assessment of the site/vessel in terms of its safety on the waterway. If the initial risk assessment results in a low score, the USCG would require FOF to present a formal risk assessment before signing off on the Corps permit process.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before February 29, 2004, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attn: J. Ruben Hernandez, at the above address, telephone (615) 369-7519. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Chickamauga-Nickajack Watershed Team, Attn: Mr. Rick J. Lance, 1101 Market Street (PSC 1E), Chattanooga, Tennessee 37402-2801.



TENNESSEE RIVER

Scale 1 Inch = 1/2 Mile



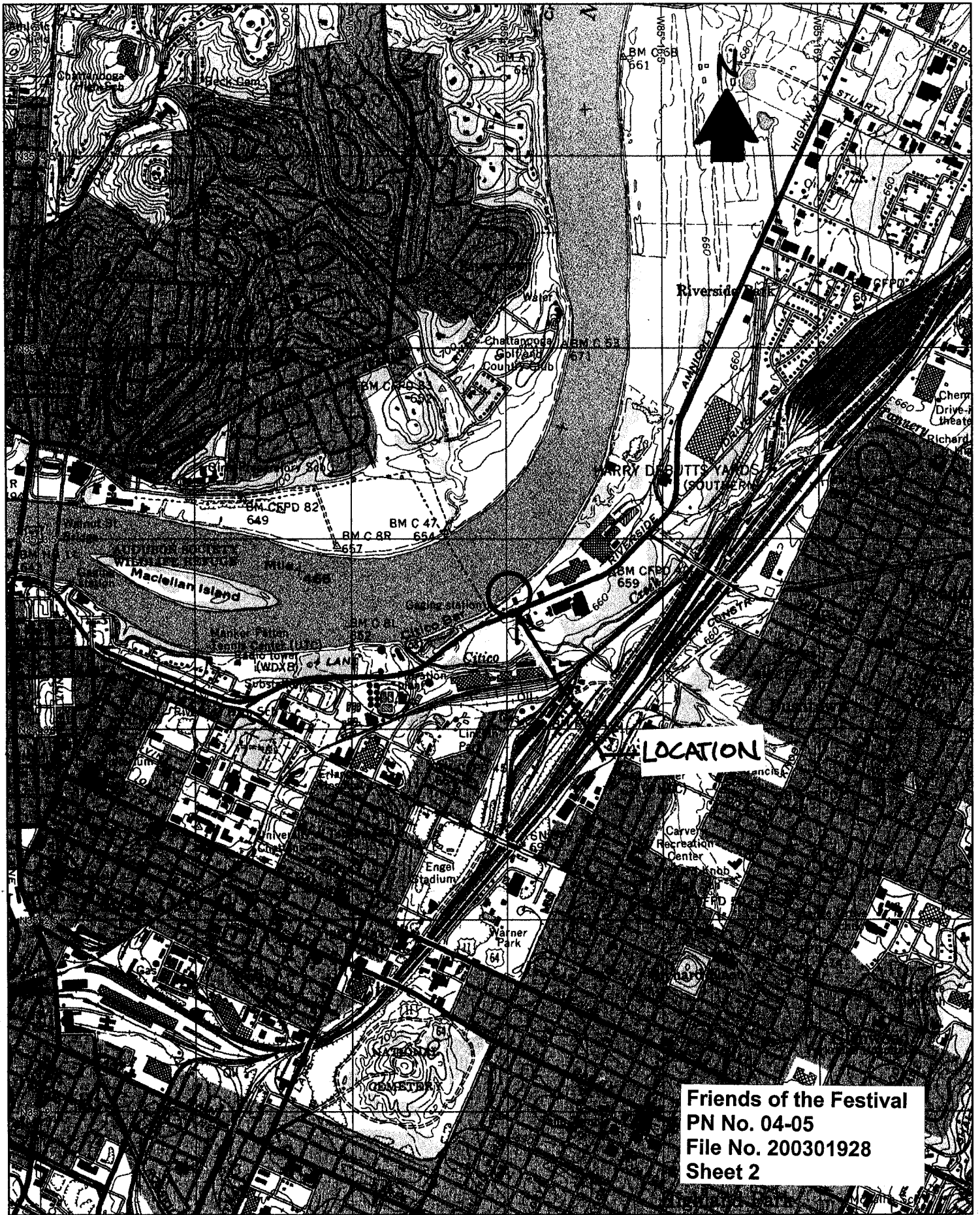
NOTE:
See back of this chart for clearance data pertaining to aerial crossings. See opposite page for clearance data pertaining to bridges.

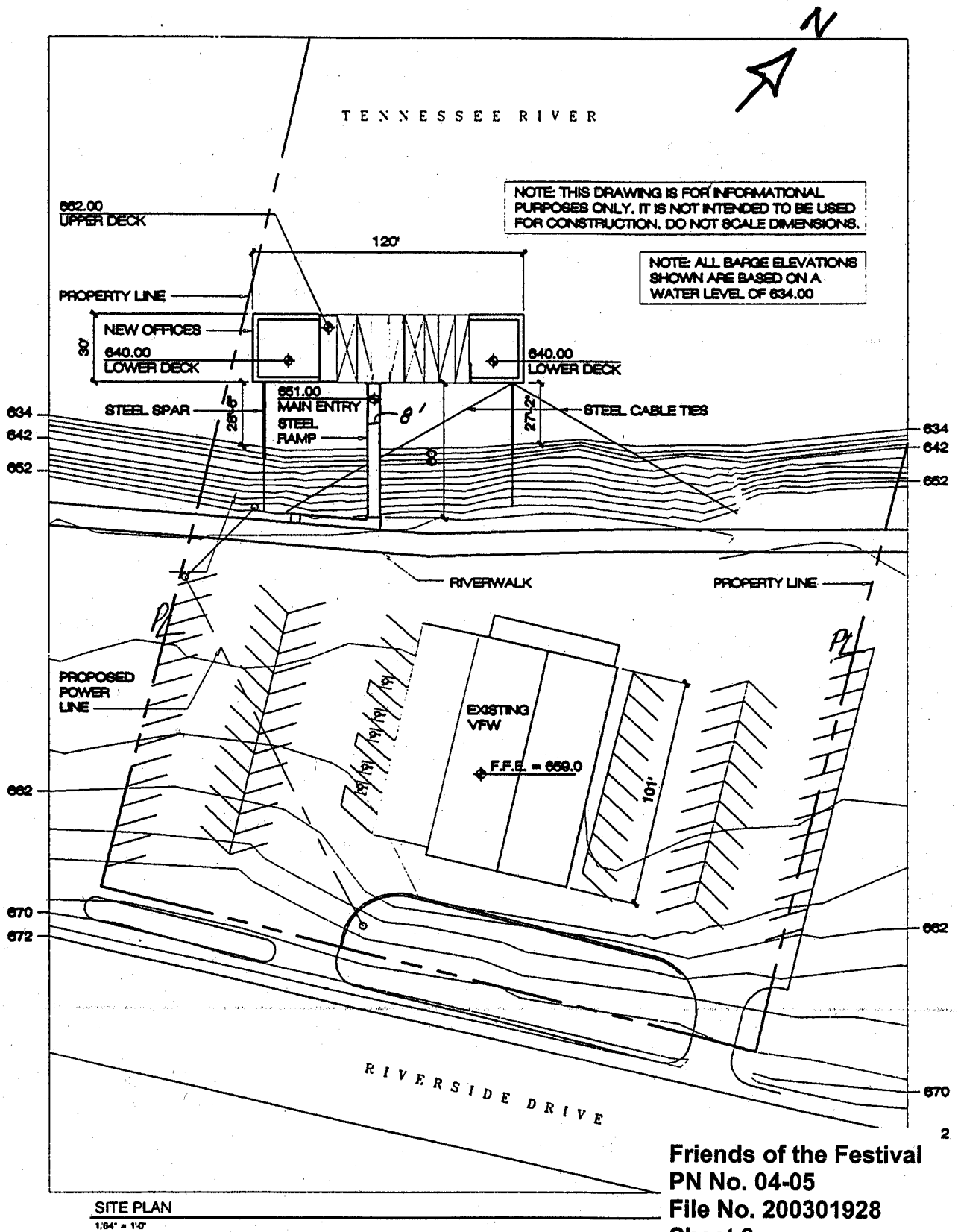
NOTE:
The prepared channel between Mile 465.0 and Chickamauga Lock has a depth of 11' at Pool Elevation 632.0.

Friends of the Festival
PN No. 04-05
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Sheet 1

- VULCAN MATERIALS
- SERODINO, INC., FLEETING
- TENNESSEE PAPER MILLS INDUSTRIAL INTAKE
- STAR INTERPRISES
- CHARLESTON MARINE
- AMOCO
- JIT TERMINALS, INC.
- CARGILL, INC.
- CITY OF CHATTANOOGA MUNICIPAL INTAKES
- ROCK-TENNESSEE MILL DIVISION
- VULCAN MATERIALS CO.
- ROSS'S LANDING MARINA
- ROSS'S LANDING MARINA ANNEX
- BROWN'S FERRY LANDING MARINA

- AERIAL POWER CROSSING
- AERIAL POWER CROSSING
- SUBMARINE CROSSING
- SUBMARINE CROSSING
- P. R. OLGATI HIGHWAY BRIDGE
- CHIEF JOHN ROSS DRAWBRIDGE
- WALNUT STREET BRIDGE
- VETERANS MEMORIAL BRIDGE
- GENERAL OILS, INC.
- COMBUSTION ENGINEERING, INC.
- SOUTHERN FOUNDRY SUPPLY, INC.
- DIXIE-PORTLAND FLOUR CO.



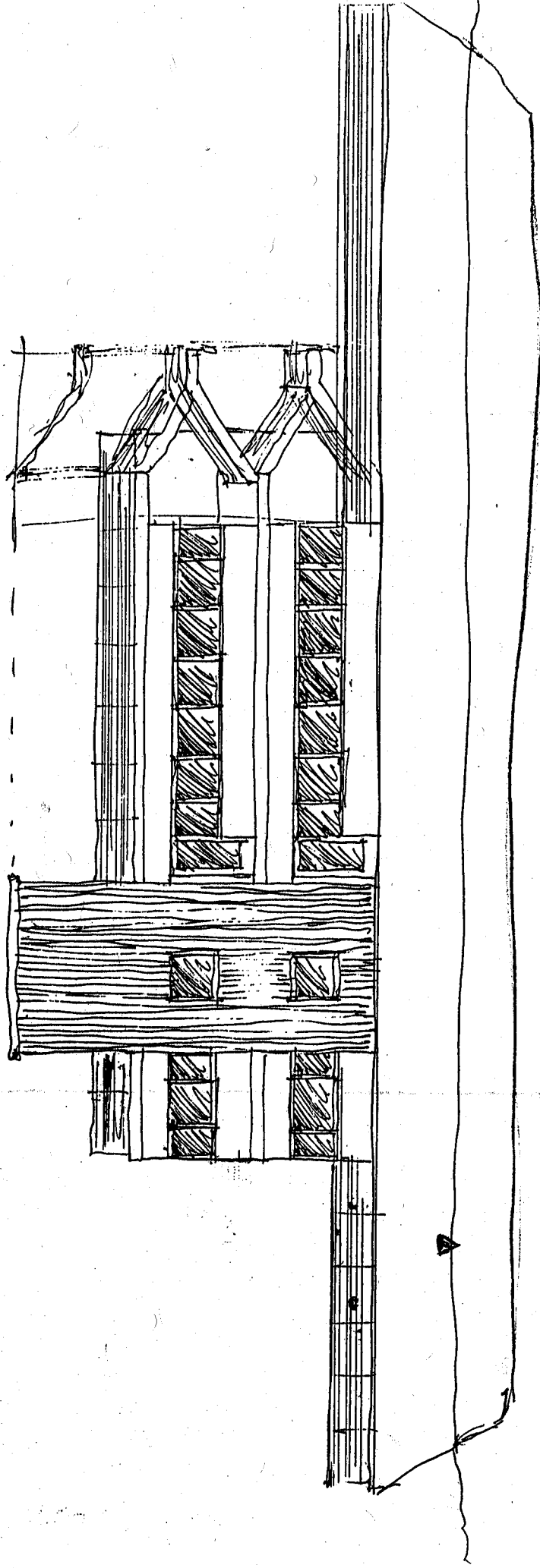


Drawn By:	boo
Checked By:	fsm
Project:	203910
Date:	05-15-03

New Riverbend Office

Friends of the Festival
26a Permit; RLR 150881
Tennessee River Mile 465.6L
Map 26D; Topo 105SE
Non-TVA Tract





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26a Permit; RLR 150881
Tennessee River Mile 465.6L
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